Sterne Kessler Goldstein Fox



Robert Greene Sterne Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Iracy-Gene G. Durkin Michele A. Cimbala Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Robert C. Millonig Donald J. Featherstone Timothy J. Shea, Jr Michael V. Messinger Judith U. Kim Patrick E. Garrett Jeffrey T. Helvey Eldora L. Ellison Thomas C. Fiala Donald R Ranowit Peter A. Jackman Jeffrey S. Weaver Brian J. Del Buono Mark Fox Evens Edward W. Yee Vincent L. Capuano Virgil Lee Beaston Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Daniel A. Klein Jason D. Eisenberg Michael D. Specht

Tracy L. Muller Jon E. Wright LuAnne M. DeSantis Ann E. Summerfield Helene C. Carlson Cynthia M. Bouchez Timothy A. Doyle Gaby L. Longsworth Lon A. Gordon Bashir M.S. Ali Shannon A. Carroll Anbar F. Khal Michelle K. Holoubek Marsha A. Rose Young Tang Christopher J. Walsh

W. Blake Coblentz' James J. Poh! * John T. Haran Mark W. Rygiel Kevin W. McCabe Michael R. Malek * Registered Patent A

Registered Patent Agents -Karen R. Markowicz Matthew J. Dowd Katrina Yujian Pei Quach Bryan L. Skelton Robert A. Schwartzman Victoria S. Rutherford Simon J. Elliott Julie A. Heider Mita Mukherjee

Attn: Mail Stop Amendment

Scott M. Woodhouse Liliana Di Nola-Baron Peter A. Socarras Jeffrey K. Mills Danielle L. Letting Lori Brandes Steven C. Oppenheimer

Of Counsel Edward J. Kessler Kenneth C. Bass III Marvin C. Guthrie

*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

October 26, 2006

WRITER'S DIRECT NUMBER: (202) 772-8560
INTERNET ADDRESS: RESMOND@SKGF.COM

Art Unit 1625

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re.

U.S. Utility Patent Application

Application No. 10/721,338; Filed: November 26, 2003

For: Caspase Inhibitors and the Use Thereof

Inventors: CAI et al.

Our Ref: 1735.0350004/RWE/BSA

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Amendment and Reply to Restriction Requirement; and
- 2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLPSTEIN & FOX P.L.L.C.

Robert W. Esmond Attorney for Applicants Registration No. 32,893

RWE/BSA/nef Enclosures

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Sterne, Kessler, Goldstein & Fox P.L.L.c. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CAI et al.

Appl. No.: 10/721,338

Filed: November 26, 2003

For: Caspase Inhibitors and the Use

Thereof

Confirmation No.: 8374

Art Unit: 1625

Examiner: AULAKH, C.

Atty. Docket: 1735.0350004/RWE/BSA

Amendment and Reply to Restriction Requirement

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated September 27, 2006, (PTO Prosecution File Wrapper Paper No. 20060919), requesting an election of one invention to prosecute in the above-referenced patent application, Applicants submit the following Amendment and Remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page two of this paper.

Remarks begin on page eleven of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.